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TAGS: [KTIP](#) [KCRM](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [MY](#)
SUBJECT: MALAYSIA: TRAFFICKING IN PERSONS UPDATE, AUGUST 7,
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REF: A. KL 632 TIP: GOM INTENSIFIES PUBLIC EDUCATION ON
TIP
[1](#)B. KL 618 TIP: AMBASSADOR'S MEETING WITH INSPECTOR
GENERAL OF POLICE
[1](#)C. KL 609 UPDATE ON GOM ANTI-TIP EFFORTS
[1](#)D. KL 600 FIRST ARRESTS OF IMMIGRATION OFFICIALS
[1](#)E. KL 596 INCREASED GOM RESPONSIVENESS ON TIP

Classified By: Classified By: Political Counselor Brian McFeeters for r
easons 1.4 b and d.

Summary

[1](#)1. (C) Summary. In recent weeks, the GOM has continued to pay substantive attention to trafficking in persons (TIP) issues: the GOM invited local embassies to participate in a GOM training seminar designed to train prosecutors and court officials on how to handle TIP cases; GOM Immigration Detention Centers began contacting UNHCR as early as March 2009 to screen migrants for refugee status; a visiting Amnesty International delegation was given unhindered access to migrants held at detention centers; local NGO Tenaganita is working with government officials to establish shelters and counseling programs for TIP victims. On August 5 the GOM's top immigration official admitted that some of his personnel had developed relationships with trafficking syndicates, and announced plans to begin to address this problem by rotating officials working in detention centers more frequently. While NGOs continue to maintain a skeptical, wait-and-see attitude regarding the long-term sustainability of such measures, they acknowledge that a number of GOM officials appear to be making sincere efforts to tackle the TIP problem. End Summary.

[1](#)2. (C) Comment. These recent developments, plus those reported in reftels, suggest a change in the GOM's approach to TIP issues, previously characterized by a posture of denial and lack of transparency. The immigration agency's unprecedented open acknowledgment of connections between its officials and trafficking syndicates likely results from strong messages from top GOM leadership on the TIP issue. End Comment.

[1](#)3. (U) On August 5, at the GOM's invitation, POLOFF delivered a presentation on TIP to officials attending a three-day anti-TIP training course at the Office of the Prime Minister's Judicial and Legal Training Institute (ILKAP). The 25-member class consisted of prosecutors from the Attorney General's (AG) Chambers, magistrates, and officers from ILKAP and was designed to train government attorneys and judiciary on how to litigate TIP cases. The class was engaged and interested in the U.S. perspective on TIP, asking detailed questions about how U.S. prosecutors overcome victims' reluctance to testify and deal with trafficking victims who may have also committed immigration violations, for example. A secondary topic was Malaysia's recent Tier 3 Ranking. A representative from the Australian Embassy also participated.

14. (C) On August 7, UNHCR's Deputy Representative in Malaysia. Henrik Nordentoft described the GOM's recent actions as a "crusade to please their critics." He noted that in March 2009, the Immigration Detention Centers (IDCs) began to notify UNHCR of potential persons of interest. This resulted in a series of visits to 14 IDCs and the screening of approximately one thousand refugee applicants to date. Nordentoft elaborated that from March 2009 until present the deportation of migrants from the IDCs has ground to a halt. Because the IDCs were no longer deporting individuals, he described UNHCR's permission to screen as the IDC's alternative means to combat overcrowding. Nordentoft also noted that UNHCR was "riding a positive wave" with the GOM but expressed caution that this could change at any time. Taking advantage of this positive momentum, on July 1, UNHCR felt they could take more proactive measures and commenced a mobile refugee registration site. He commented that the permanent facility processes one hundred migrants a day while the mobile station processes over two hundred per day. He maintains that the GOM is aware of the new mobile program but believes they will not disturb it so long as UNHCR remains discrete. Nordentoft also remarked about the sophistication of the GOM's public relations campaign, noting that he had heard rumors that the new Prime Minister had hired a PR firm to advise him.

15. (C) On July 28, Amnesty International (AI) Director of Policy Michael Bochenek and colleagues reviewed their three-week visit to Malaysian detention centers, where they had interviewed approximately 200 migrant workers and refugees from Bangladesh, Indonesia, Nepal, India, and Burma who had been working in manufacturing, domestic services,

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restaurants, construction, agriculture and plantation sectors. The Team expressed real concern over the general lack of respect for the migrants, as well as the poor condition and overcrowding of the facilities. They acknowledged, however, that for the first time ever the GOM had given them unhindered, uncensored access to the immigrant detention centers and that there had been no apparent efforts by GOM to "clean up" prior to their visits. The AI team also met with relevant GOM officials, local NGOs and employment agencies involved in migrant worker recruitment. They remarked that the GOM had demonstrated considerable openness and transparency.

16. (C) The AI officials expressed skepticism over whether recent GOM steps on TIP would be sustained or whether they merely reflected a desire to get Malaysia off the Tier 3 list. The AI team added, however, that there seemed to be sincere and significant efforts by at least some GOM officials to address the TIP problem. The AI team officials said they would be releasing a comprehensive report on their visit in the coming weeks.

17. (C) On July 28, prominent NGO Tenaganita anti-TIP Coordinator Aegile Fernandez told us about her July 15 and July 23 inclusion in GOM talks on how to combat TIP, noting that the decision to invite NGOs to participate in such meetings was a significant change. While expressing reservations about the GOM's long-term goals regarding anti-TIP efforts, she noted that participants from the prosecutor's division of the Attorney General's Chamber seemed sincere in their efforts to prosecute trafficking cases. She noted internal conflict between government agencies in regard to TIP issues, and was concerned that her request to access government shelters to work with TIP victims had been opposed by the Womens' Ministry.

18. (C) AI and local NGOs have been concerned that the recent TIP charges against a single senior immigration official might give the impression that the problem with TIP in Malaysia was confined to a few bad apples when in reality corruption in the immigration system was more systemic. On August 5 the GOM's top immigration official, Director-General

Abdul Rahman Othman, acknowledged that some of his personnel, especially those who had served for extended periods at the detention centers, had developed relationships with trafficking syndicates, and announced plans to begin rotating officials working in detention centers more frequently.

KEITH